

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ANDREW R. LOPEZ,  
Petitioner,

v.

JAMES ROBERTSON, et al.,  
Respondent.

Case No. 20-07619 SVK (PR)

**ORDER OF TRANSFER**

Petitioner, a state prisoner at Pelican Bay State Prison, has filed a petition for a writ of habeas corpus under 28 U.S.C. § 2254. Petitioner challenges his state conviction from the Superior Court of Stanislaus County. Venue for a habeas action is proper in either the district of confinement or the district of conviction. *See* 28 U.S.C. § 2241(d). However, petitions challenging a conviction or sentence are preferably heard in the district of conviction. *See* Habeas L.R. 2254-3(b)(1); *Laue v. Nelson*, 279 F. Supp. 265, 266 (N.D. Cal. 1968). Here, because petitioner challenges a conviction from Stanislaus County, the Eastern District of California is the district of conviction.

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Accordingly, this case is **TRANSFERRED** to the United States District Court for the Eastern District of California. *See* 28 U.S.C. § 1406(a). The Clerk shall terminate all pending

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1 motions and transfer the entire file to the Eastern District of California.

2 **IT IS SO ORDERED.**

3 DATED: December 1, 2020



SUSAN VAN KEULEN

United States Magistrate Judge

United States District Court  
Northern District of California